


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

James J. Stahl,	:	
	:	
Plaintiff	:	Civil Action 2:12-cv-0137
	:	
v.	:	Judge Sargus
	:	
Michael J. Astrue, Commissioner of Social Security,	:	Magistrate Judge Abel
	:	
Defendant	:	

ORDER

The parties's October 17, 2012 joint motion to remand this case for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) and to enter judgment pursuant to Federal Rule of Civil Procedure 58 (doc. 17) is GRANTED.

Upon remand, the Appeals Council will vacate the administrative law judge's February 26, 2009 decision, and the Commissioner will conduct further proceedings and develop the administrative record as necessary. Upon remand, the ALJ shall consider the 2007 court ordered reformation to the James J. Stahl Trust to relate back to the date the trust was established, May 21, 2002. Accordingly, the ALJ shall consider the reformed trust in determining whether the trust meets the requirements of 42 U.S.C. 1396p(d)(4)(A) as of May 21, 2002.


11-5-2012

Edmund A. Sargus, Jr.
United States District Judge